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SUPERINTENDENT OF  
PUBLIC INSTRUCTION

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Testimony of State Board of Education Members  
John C. Austin, Vice President  
Nancy Danhof, NASBE Delegate  
(On behalf of entire Board)

To the  
Michigan House Education Committee  
Michigan Senate Education Committee

Maintaining the Constitutional Role of the State Board of  
Education

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The issue of how best to organize government to provide accountability to the people and produce the best public policy is very important and must be considered thoughtfully, as this committee is doing.

As State Board of Education members, elected by the people, and mandated by the Michigan Constitution to provide leadership and general supervision over public education, we want to offer thoughtful reflection on the proposed amendment to the Constitution that would transfer to the Governor the power to appoint the Superintendent of Public Instruction (currently a constitutional responsibility of the State Board of Education).

There are pros and cons to any system of organizing government. These are issues that the founders of our country wrestled with in establishing the U.S. Constitution and its system of checks and balances in power.

They were the same issues the delegates to the Michigan Constitutional Convention wrestled with in 1961, and that must be weighed seriously in proposing any changes to that Constitution.

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We understand that any Governor, including the current Governor, might welcome direct control and responsibility over education, including the appointment of the state Superintendent of Public Instruction, allowing them to be held directly accountable for public education performance.

The Michigan Constitution, as approved by the citizens of this state in 1963, viewed education and education policy as so important to this state that it provided for an elected State Board of Education. This Board is elected by the people for eight-year terms (two are elected every two years), in order to raise education policy above shorter-term political considerations. It also affords the Board through its oversight responsibility the opportunity to thoughtfully, and in a bi-partisan manner, implement education policy, through the state Superintendent of Public Instruction, that would best serve the needs of Michigan's children.

To this point, former Governor George Romney, Vice-President of the Constitutional Convention and chair of the subcommittee that drafted the education provisions stated:

*"It was the decision of the education committee to make the board of education completely independent of the Governor by their separate election and, also, to make the superintendent of public instruction completely independent of the Governor by permitting the board of education to appoint the superintendent of public instruction."*

The responsibilities of the State Board, Romney explained:

*"Include the appointment of the superintendent of public instruction. You cannot disassociate the two. They are interwoven and intertwined."*

Romney went on to discuss the reasoning for this decision:

*"We have purposely given the board of education the right to determine the term of office of the superintendent so that we can get a superintendent of public instruction that is removed, as nearly as you can remove and should remove, because you shouldn't remove completely from political considerations; but removing the superintendent, as nearly as possible, from capricious or individual political considerations." (Official Record, Constitutional Convention 1961, p.1207)*

This approach is consistent with what was done in areas of Michigan's environment, agriculture, as well as the governance of our leading public universities.

We believe this system has served the state well.

We want to offer some examples of the benefits of maintaining the current role of the State Board, which would be significantly diminished should this Constitutional responsibility be changed.

The State Board, in a bi-partisan manner, led the nation in developing a system of education based on high standards for all students, and put in place an assessment program to assess those standards 30 years ago. Today, this approach is the law of the land, and every state in the country is being challenged to put in place similar standards and an assessment program under the federal No Child Left Behind Act. Michigan already was there.

Michigan's State Board of Education led in developing an accreditation system for schools that insists on accountability and quality in all aspects of education, including academic performance in math, reading, science, social studies, arts, as well as valuing other important aspects of education from teacher quality to parental involvement. The state's education report cards reflect this Board's ability, in a bi-partisan manner, to insist on accountability and transparency in education. Our efforts led former Education Advisor to President George W. Bush, Mr. Sandy Kress, to call Michigan "a model for the nation."

When the federal No Child Left Behind Act asked each state to set minimum proficiency standards as the first step in the 12-year march to insist all students reach minimum standards, this Board, in a tough bi-partisan vote, chose to maintain our high standard of proficiency on the MEAP, even though other states lowered standards to make it easy to reach the goal.

The State Board embraced the goals of No Child Left Behind and focused on assisting our high priority schools, and has not run away from this expectation. This, despite intense pressure to reject this expectation.

The State Board of Education has also provided a voice and a forum for citizens and all stakeholders in education to come forward and share their needs and concerns, needs that would likely be neglected without that citizen voice for education being heard directly.

This forum has allowed us to develop and implement a plan for assistance to high priority schools, issue school building and district report cards, develop Grade Level Content Expectations, and begin a bi-partisan dialogue on structural issues facing Michigan schools. These are among many important issues that have been implemented because the State Board takes seriously its role to listen to all needs, and provides continual guidance that improves education in our state.

Our focus is on improving education for all of our children and citizens.

The State Board with its independence, long-term view and thoughtful bi-partisan approach provides a unique forum and policy-setting arena to ensure the focus stays on this goal.

The State Board has insisted on an open, inclusive, bi-partisan, and long-term approach to education:

- Our leadership team and agenda-setting committee include both Republican and Democrat members, and our votes on tough issues have reflected this bi-partisanship.
- The Governor is an ex-officio member of the State Board of Education, and has significant influence on educational policy.
- To our knowledge, no State Board has appointed a Superintendent without the involvement and concurrence of the Governor. This Board consulted with then-Governor Engler, and we currently are having close dialogue with Governor Granholm on the selection of the next Superintendent.
- The State Board of Education selects the Superintendent in an open meeting process with full and meaningful input from the public and all stakeholders in education.

The recent brouhaha over the Superintendent of Public Instruction, taking the long view, will show the system functioned well. Like democracy itself, while not always pretty, it works. A superintendent viewed as less than effective by a bi-partisan cross-section (and ultimately the majority) of the State Board, and the state's Governor (whose Cabinet the Superintendent inhabits) was removed from office, and will be replaced by a new, more effective leader, soon. The process will take a few months. Today, there is evidence of a new State Board ready to make the tough decisions necessary for today's world. This State Board and Governor are poised to work together as never before. We invite you, the Legislature, to be a part of this work. We look forward to coming back to you following our selection of a new State Superintendent of Public Instruction and asking you to share your impressions of how we are doing and what hopes and dreams you hold for our children.

We believe these Joint Resolutions brought before you today should be rejected.